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BEFORE THE ARIZONA CORPORATION COMMISSION

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JEFF HATCH-MILLER, Chairman
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MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
PERKINS MOUNTAIN UTILITY COMPANY FOR
A CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. SW-20379A-05-0489

IN THE MATTER OF THE APPLICATION OF
PERKINS MOUNTAIN WATER COMPANY FOR
A CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. W-20380A-05-0490

PROCEDURAL ORDER**BY THE COMMISSION:**

On July 7, 2005, Perkins Mountain Utility Company ("Perkins Utility") filed with the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate" or "CC&N") to provide wastewater service to a master-planned community in Mohave County, Arizona.

On July 7, 2005, Perkins Mountain Water Company ("Perkins Water") filed an application with the Commission for a Certificate to provide water service to a master-planned community in Mohave County, Arizona.

On July 22, 2005, Perkins Utility and Perkins Water (collectively, "the Utilities") filed a Notice of Filing of Certificate of Good Standing in the above dockets.

On August 8, 2005, the Commission's Utilities Division Staff ("Staff") filed Insufficiency Letters in the above dockets.

On August 25, 2005, Scott Fisher of Sports Entertainment filed a request that Perkins Utility include a portion of Sports Entertainment's parcel in the proposed Certificate area for docket SW-20379A-05-0489.

On August 30, 2005, Perkins Utility and Perkins Water filed responses in the above dockets.

On September 14, 2005, Perkins Utility and Perkins Water filed a Notice of Filing Amended

1 Legal Description for the above dockets.

2 On September 19, 2005, Staff filed its Sufficiency Letters indicating that Perkins Utility and
3 Perkins Water applications have met the sufficiency requirements of A.A.C. R14-2-402C.

4 On September 27, 2005, Sports Entertainment filed an Application to Intervene in Docket No.
5 SW-20379A-05-0489 and Docket No. W-20380A-05-0490.

6 On November 10, 2005, Staff filed its Staff Report.

7 On November 23, 2005, Perkins Utility and Perkins Water filed a Response to Staff's Report.

8 On November 29, 2005, Sports Entertainment was granted intervention for both dockets.

9 On December 5, 2005, a hearing was convened before a duly authorized Administrative Law
10 Judge of the Commission at its offices in Phoenix, Arizona. The Utilities, Sports Entertainment and
11 Staff entered appearances through counsel. Staff made its closing statement. At the conclusion of
12 the hearing, pending docketing of closing briefs by the Utilities and Sports Entertainment, the matter
13 was taken under advisement pending issuance of a Recommended Opinion and Order.

14 On January 6, 2006, the Utilities and Sports Entertainment filed closing briefs in this docket.

15 On February 10, 2006, the Utilities filed an Analysis of Adequate Water Supply issued by the
16 Arizona Department of Water Resources. The filing indicated that legal availability and continuous
17 availability of the water supply were not proven at the time the letter was issued on October 19, 2005.

18 On February 17, 2006, Commissioner Kristin Mayes filed a letter in this docket.

19 On March 6, 2006, a letter from Jan Emming of Yucca, Arizona was filed in this docket. On
20 the same day, the Utilities filed a Motion for Expedited Procedural Conference.

21 On March 7, 2006, the Utilities filed their Notice of Filing Response to Commissioner Mayes'
22 February 17, 2006 Letter.

23 On March 8, 2006, Staff filed its Response to Motion for Expedited Procedural Conference.
24 On the same day, a second letter from Jan Emming of Yucca, Arizona was filed in this docket.

25 On March 13, 2006, by Procedural Order, a procedural conference was scheduled for March
26 17, 2006 and the timeclock was extended. On the same day, Commissioner Mayes filed a letter in the
27 docket and the Utilities filed a Notice of Filing Franchise Agreements.

28 On March 15, 2006, Consumer Comments were filed in the docket.

1 On March 16 and March 22, 2006, Commissioner Marc Spitzer filed a letter in the docket.

2 On March 17, 2006, a procedural conference was held as scheduled.

3 On March 23, 2006, Commissioner Mayes filed a letter in the docket. On the same day, the
4 Utilities filed a Notice of Revision to the Service List and Staff filed Staff's Notice Re: Addendum to
5 Staff Report.

6 On March 29, 2006, a letter jointly signed by Jim Woods, 2005 Board President of the Boys
7 & Girls Club of Kingman, and Noreen Frisch, Executive Director, was filed in the docket. On the
8 same day, Staff filed letters in the docket to Mohave County Planning and Zoning, the Arizona
9 Geological Survey, and the Arizona Department of Water Resources.

10 On March 31, 2006, Staff filed its First Set of Data Requests to the Utilities and the Utilities
11 filed their Amendment to Application for a Certificate of Convenience and Necessity for Perkins
12 Mountain Water Company.

13 IT IS THEREFORE ORDERED that a public comment session shall be held at the following
14 times and locations:

15 **April 10, 2006 at 12:00 noon**
16 Mohave County Public Library
17 1770 N. McCulloch Blvd.
Lake Havasu City, AZ

18 **April 10, 2006 at 5:00 p.m.**
19 Mohave County Board of Supervisors
20 700 West Beale Street
Kingman, AZ 86401

21 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
22 Communications) applies to this proceeding and shall remain in effect until the Commission's
23 Decision in this matter is final and non-appeable.
24

25 ...

26 ...

27 ...

1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 DATED this 4 day of April, 2006

4
5 
6 AMY BJELLAND
7 ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered
9 this 4 day of April, 2006 to:


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By: 
Molly Johnson
Secretary to Amy Bjelland